



## United States Patent and Trademark Office

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APPLICATION NUMBER FILING OR 371 (c) DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER

10/767,472 01/29/2004 Christopher G. Walls 3962 P 019

**CONFIRMATION NO. 3613** 

Date Mailed: 06/16/2004

**FORMALITIES LETTER** 

\*OC000000012961440\*

PAUL J. NYKAZA, ESQ. WALLENSTEIN WAGNER & ROCKEY, LTD. 53RD FLOOR 311 SOUTH WACKER DRIVE CHICAGO, IL 60606-6630



# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- · The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 Additional claim fees of \$320 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

08/17/2004 MBELETE1 00000011 10767472

Total additional fee(s) required for this application is \$1220 for a Large Entity

01 FC:1001 770.00 OP 02 FC:1201 86.00 OP 234.00 OP 130.00 OP

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$320
  - \$86 for 1 independent claims over 3.
  - \$234 for 13 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts

**Commissioner for Patents** 

P.O. Box 1450

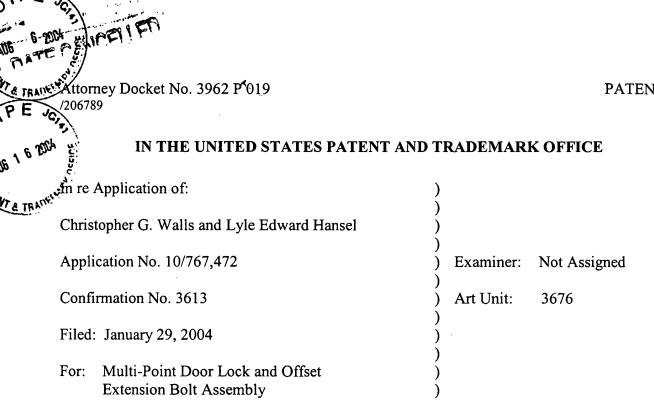
Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Genter

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### Dear Commissioner:

Pursuant to the "Notice To File Missing Parts Of Nonprovisional Application - Filing Date Granted" dated June 16, 2004, enclosed are the following:

- Copy of Notice to File Missing Parts of Nonprovisional Application Filing Date Granted (Part 2 - Copy to be Returned with Response)
- Original Declaration and Power of Attorney signed by the inventors, Christopher G. Walls and Lyle Edward Hansel
- Check in the amount of \$1,220 to cover the filing fee and the surcharge for filing the Declaration and Power of Attorney (large entity)
  - Four (4) sheets of formal drawings (FIGS. 1-9)

Application No. 10/767,472 Response to Notice to File Missing Parts Page 2

Please charge any additional fees or credit any overpayments to Deposit Account No. 23-0280. A duplicate copy of this Response is enclosed for that purpose.

Date: August 11, 2004

Respectfully submitted,

By:

Paul J/Nykaza, Registration No. 38,984

Customer No. 23424

Wallenstein Wagner & Rockey, Ltd. 311 South Wacker Drive, 53<sup>rd</sup> Floor

Chicago, Illinois 60606-6630

312.554.3300

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **August 11, 2004**.

Julie M. Weisenberger